

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NOAM EISEN, et al.,
Plaintiffs,

v.

EMILY DAY,
Defendant.

Case No. 21-cv-05349-VKD

**INTERIM ORDER MODIFYING CASE
SCHEDULE; ORDER DENYING
MOTION TO SHORTEN TIME**

Re: Dkt. Nos. 32, 33

On July 13, 2022, defendant-counterclaimant Emily Day and counterclaimant Cosmo Alleycats, LLC (collectively, “Day parties”) filed a motion to stay proceedings in this case and to modify the case management schedule due to their counsel’s illness and the expectation that the Day parties will need to retain new counsel. Dkt. No. 32. Concurrently, the Day parties moved to shorten time to expedite the briefing and hearing schedule on their motion to stay. Dkt. No. 33. The Court understands that plaintiffs intend to oppose both motions. *Id.*

The Court denies the motion to shorten time. The deadlines for opposition and reply briefing on the motion to stay shall be in accordance with Civil Local Rule 7-3. The Court expects to resolve the motion to stay on the papers without oral argument. To permit resolution of that motion without unduly prejudicing any party, the Court provisionally extends the discovery-related deadlines as follows:¹

Fact discovery cutoff	August 12, 2022
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Deadline for Rule 26(a)(2) disclosures	September 2, 2022
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¹ These dates are subject to change pending resolution of the motion on its merits.

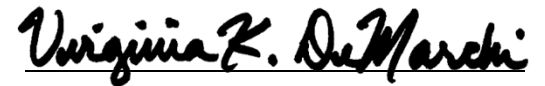
1 Deadline for Rule 26(a)(2) rebuttal disclosures September 23, 2022

2 Expert discovery cutoff October 14, 2022

3 All other dates in the case management schedule remain as previously ordered.

4 **IT IS SO ORDERED.**

5 Dated: July 14, 2022

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8 VIRGINIA K. DEMARCHI
9 United States Magistrate Judge

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United States District Court
Northern District of California